

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: SAYLER, et al.

Application No.: 09/923,132 Examiner: Lambertson, D.A.

Date Filed: August 6, 2001 Group: 1636

For: ANALYTE DETECTION DEVICE AND METHODS OF USE



CERTIFICATE UNDER 37 CFR 1.8(a)

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Stanley A. Kim, Ph.D., Esq.

, Reg. No. 42,730

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Dear Sir:

Pursuant to the Duty to Disclosure under 37 CFR 1.56, the references cited on the accompanying PTO Form SB/08B are hereby brought to the attention of the Examiner for independent evaluation. A copy of each non-US patent reference is enclosed.

No item of information contained in the supplemental information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the undersigned after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in § 1.56(c) more than three months prior to the filing of the information disclosure statement.

The claimed invention is believed patentable over the disclosures enclosed. This citation is intended to give the Examiner an opportunity to make an independent evaluation. No representations are made regarding these materials.

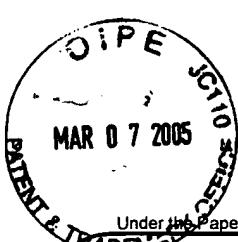
Respectfully submitted,

RUDEN, MCCLOSKY, SMITH,
SCHUSTER & RUSSELL, P.A.

Dated: March 1, 2005

Docket No: 6704-15-1


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Application Number	09/923,132
Filing Date	August 6, 2001
First Named Inventor	SAYLER
Art Unit	1636
Examiner Name	LAMBERTSON, D.A.
Attorney Docket Number	

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NON PATENT LITERATURE DOCUMENTS

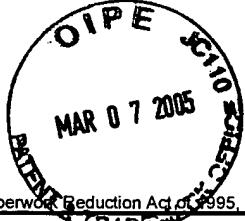
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		Abstract - Belkin, S., "A panel of stress-responsive luminous bacteria for monitoring wastewater toxicity," Methods Mol Biol., 102: 247-58, 1998.	
		Abstract - Belkin et al., "Oxidative stress detection with Escherichia coli harboring a katG'::lux fusion," Appl Environ Microbiol., 62(7): 2252-6, 1996.	
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		Abstract - Burlage, R. S., "Organic contaminant detection and biodegradation characteristics," Methods Mol Biol., 102: 259-68, 1998.	
		Abstract - Corbisier, P. "Bacterial metal-lux biosensors for a rapid determination of the heavy metal bioavailability and toxicity in solid samples," Res Microbiol., 148(6): 534-6, 1997.	
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		Abstract - Davidov et al., "Improved bacterial SOS promoter & Colon; lux fusions for genotoxicity detection," Mutat Res., 466(1): 97-107, 2000.	
		Abstract - Elasri M. and R.V. Miller, "A Pseudomonas aeruginosa biosensor responds to exposure to ultraviolet radiation," Appl Microbiol Biotechnol., 50(4): 455-8, 1998.	
		Abstract - Erbe et al., "Cyanobacteria carrying an smt-lux transcriptional fusion as biosensors for the detection of heavy metal cations," J Ind Microbiol., 17(2): 80-3, 1996.	

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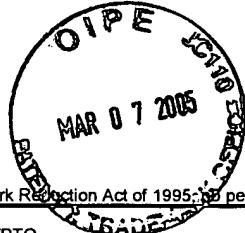
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		Abstract - Francis et al., "Monitoring bioluminescent Staphylococcus aureus infections in living mice using a novel luxABCDE construct," Infect Immun., 68(6): 3594-600, 2000.	
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		Abstract - Joyner, D. C. and S. E. Lindow, "Heterogeneity of iron bioavailability on plants assessed with a whole-cell GFP-based bacterial biosensor," Microbiology, 146(Pt 10): 2435-45, 2000.	
		Abstract - Kelly et al., "Kinetic analysis of a tod-lux bacterial reporter for toluene degradation and trichloroethylene cometabolism," Biotechnol Bioeng., 69(3): 256-65, 2000.	
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		Abstract - Prest et al., "The construction and application of a lux-based nitrate biosensor," Lett Appl Microbiol., 24(5): 355-60, 1997.	
		Abstract - Rozen et al., "Specific detection of a p-chlorobenzoic acid by Escherichia coli bearing a plasmid-borne fcbA':lux fusion," 38(3) 633-41, 1999.	

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		Abstract - Rupani et al., "Characterization of the stress response of a bioluminescent biological sensor in batch and continuous cultures," Biotechnol Prog., 12(3): 387-92, 1996.	
		Abstract - Scott et al., "Genetically engineered bacteria: electrochemical sensing systems for antimonite and arsenite," Anal Chem., 69(1): 16-20, 1997.	
		Abstract - Shetty et al., "Green fluorescent protein in the design of a living biosensing system for L-arabinose," Anal Chem., 71(4): 763-8, 1999.	
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		Abstract - Vollmer et al., "Detection of DNA damage by use of Escherichia coli carrying recA::lux, uvrA::lux, or alkA::lux reporter plasmids," Appl Environ Microbiol., 63(7): 2566-71, 1997.	
		Abstract - Winson et al., "Construction and analysis of luxCDABE-based plasmid sensors for investigating N-acyl homoserine lactone-mediated quorum sensing," FEMS Microbiol Lett., 163(2): 185-92, 1998.	

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